

### REMARKS/ARGUMENTS

In the April 15, 2005, Final Office Action, claims 11-16, 18, and 20 were rejected. No amendments to the claims were made in the present response. Thus, claims 11-16, 18, and 20 are pending.

#### ***Rejections Under 35 U.S.C. § 103(a)***

Claims 11-16, 18, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shvartsman (EP 0 439 050) in view of Wreede *et al.* (U.S. Patent No. 4,878,719) and Lewis *et al.* (U.S. Patent No. 4,519,065). Applicants respectfully traverse these rejections.

The Examiner asserts that Wreede *et al.* provides the requisite disclosure of darkly lacquered surfaces missing from Shvartsman. Applicants, however, respectfully submit that there is no suggestion, motivation, or disclosure in either Shvartsman or Wreede *et al.* that would lead one of ordinary skill in the art to modify Shvartsman to cover darkly lacquered surfaces. "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." MPEP § 2143.01 (citing *In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984)). Shvartsman states at page 3, lines 27-28, that the substrate "should . . . be substantially transparent to radiation of the scanner system or end use contemplated." Further, the substrate can be made from "a variety of polymeric materials *provided* that suitable optical criteria are met" (page 3, lines 31-32; emphasis added). Because actinic radiation *must* be passed through the transparent substrate of Shvartsman (see the Summary of the Invention therein at page 2, line 54 – page 3, line 9), Applicants respectfully submit that modifying the Shvartsman substrate to a darkly lacquered surface would make Shvartsman inoperable for its intended purpose, that is, making embossed optical elements on a *transparent* substrate.

Further, in Wreede *et al.*, there is no suggestion, motivation, or disclosure directing one of ordinary skill in the art to *produce* a hologram on a wheel cover, let alone on a vehicle body. The Examiner asserts that Wreede *et al.* disclose "applying holograms to wheel covers of automobiles," which, the Examiner concludes, "reads on darkly lacquered." Wreede *et al.* explain, however, that the hologram assembly of

their disclosure is not part of a wheel cover *per se*, but rather is a separate part *fixed* to the wheel cover (see column 2, lines 48-50). An explanation of how a hologram assembly is fixed to the wheel cover is notably absent, however, from the Wreede *et al.* disclosure. Further, the holographic elements disclosed in Wreede *et al.* are reflection-type holograms or transmission-type holograms that are well known in the art and are produced on typical hologram substrates (see column 3, line 55 – column 4, line 16). These substrates are clearly not wheel covers, and Applicants were unable to discern any further disclosure in Wreede *et al.* of the application of holograms to any other darkly lacquered surface. Thus, nothing in Wreede *et al.* instructs one of ordinary skill in the art how to create a hologram *directly* on a wheel cover or a darkly lacquered surface, as suggested by the Examiner. As such, Applicants respectfully submit that Shvartsman cannot be combined with Wreede *et al.*, and thus the Examiner has failed to establish a *prima facie* case of obviousness.

Claims 11-16, 18, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gili (U.S. Patent No. 5,318,807) in view of Wreede *et al.* Applicants respectfully traverse these rejections.

Gili is directed to a process for making a printed sheet by printing patterns or designs on the surface of an absorbent material, coating the absorbent material, and engraving the coating. Applicants agree with the Examiner in that Gili fails to teach that the absorbent material is a motor vehicle or part thereof. Gili thus provides a completely different solution in a different technical field.


The Examiner, in a similar fashion to the previous rejection, asserts that one of ordinary skill in the art would find the requisite suggestion to apply the Gili teachings to wheel covers because Wreede *et al.* disclose “applying ultra-fine interference patterns to wheel covers.” As discussed above, Wreede *et al.* does not disclose applying a hologram, or in this case an ultra-fine interference pattern, *directly* to a wheel cover, as suggested by the Examiner. One can only speculate as to how the hologram assemblies are attached to the wheel covers, as Wreede *et al.* failed to include these teachings therein. Thus, Applicants respectfully submit that Gili cannot be combined with Wreede *et al.* and, consequently, that the Examiner has failed to establish a *prima facie* case of obviousness.

Serial No. 09/856,345  
Docket No. FA1010 US NA

***Summary***

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. In order to expedite disposition of this case, the Examiner is invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. Should there be a fee due which is not accounted for, please charge such fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

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Dated: July 13, 2005